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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**3:16-CV-01851-MA**

**Plaintiff,**

**v.**

**ONE GLOCK, MODEL 18, 9X19  
CALIBER PISTOL, SERIAL  
NUMBER HGP567, *in rem*,**

**Defendant.**

**DECLARATION OF  
ASSISTANT UNITED  
STATES ATTORNEY  
JULIA E. JARRETT IN  
SUPPORT OF MOTION FOR  
ENTRY OF A DEFAULT  
JUDGMENT OF  
FORFEITURE**

I, Julia E. Jarrett, an Assistant United States Attorney for the District of Oregon, am assigned to the above-entitled forfeiture action. I have reviewed the records and files in this action and from that review declare the following:

1. To the best of my knowledge and belief, Jonathan Purtzer, former operator of the business TD Pro Tech, Inc., dba Guns R Us! (hereinafter, “Guns R Us”), from which defendant firearm was seized, and to which notice was sent, is not an infant or incapacitated person.

2. To the best of my knowledge and belief, Jonathan Purtzer, former operator of Guns R Us, from which defendant firearm was seized, and to which notice was sent, is not in the military service of the United States, within the meaning of the Soldier's and Sailor's Civil Relief Act, as amended.

3. To the best of my knowledge and belief, Alex Neuman, current operator of Guns R Us, from which defendant firearm was seized, is not an infant or incapacitated person.

4. To the best of my knowledge and belief, Alex Neuman, current operator of Guns R Us, from which defendant firearm was seized, is not in the military service of the United States, within the meaning of the Soldier's and Sailor's Civil Relief Act, as amended.

5. On September 20, 2016, the United States filed a verified complaint *in rem* seeking forfeiture of the defendant, *in rem*, One Glock, Model 18, 9x19 Caliber Pistol, Serial Number HGP567. (ECF No. 1).

6. On September 22, 2016, this Court issued a Warrant for Arrest of Property as to the defendant firearm, (ECF No. 3), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) executed that warrant.

7. On September 22, 2016, copies of the Complaint, Warrant, and Civil Case Assignment Order were mailed by certified mail, return receipt requested, to Guns R Us, from which defendant firearm was seized, in care of Jonathan Purtzer, then-operator of Guns R Us. Copies were mailed to both the Guns R Us business address and Mr. Purtzer's home address. The packet mailed to the Guns R Us business address was received on September 26, 2016, and signed for by Mr. Alex Neuman.

8. On September 29, 2016, Jonathan Purtzer, *pro se*, filed a claim in which he identified himself as the President of TD Pro Tech, Inc., the company that owns Guns R Us. (ECF No. 4).

9. According to Rule G(5)(b) of the Supplemental Rules for Certain Admiralty and Maritime Claims, Mr. Purtzer's Answer to the Complaint was due to be filed with the Court on or before October 24, 2016.

10. On October 31, 2016, I sent a letter to Mr. Purtzer, c/o Guns R Us, reminding him of the expired October 24 deadline. I granted him an extension, until November 14, 2016, to properly file his Answer with the Court.

11. On November 10, 2016, the government received an e-mail from Jonathan Purtzer, via the e-mail address gunsrus03912@yahoo.com. The subject line of the e-mail from Mr. Purtzer read: "answer to case number 3:16-cv-01851-ma."

12. On November 10, 2016, the government was copied on an e-mail from the Court to the e-mail address gunsrus03912@yahoo.com, in which the Court explained

that it was not acceptable for filings to be e-mailed or faxed to the Court. The Court directed that all filings should be submitted either through regular mail or in person at the Clerk's Office, Intake, Room 740.

13. On November 17, 2016, the government sent an e-mail to Mr. Purtzer at the e-mail address gunsrus03912@yahoo.com, granting him an extension until November 28, 2016, to properly file his Answer.

14. As of the date of this declaration, an Answer has not been properly filed in this case.

15. SA Carmen Zobel explained to me that Medford Police Department (MPD) conducts compliance checks with Pawn Brokers and Federal Firearm Licensees ("FFLs") to make sure they are reporting the firearms they purchase and take in from the public. Following a compliance check with Guns R Us on or about November 29, 2016, MPD conducted a follow up interview and learned that Purtzer sold his shares of TD Pro Tech, Inc., dba Guns R Us to Alex Neuman. Mr. Neuman identified himself to MPD as the sole owner of Guns R Us. MPD contacted SA Zobel to inform her of the change, and she in turn contacted Justin Lomax, ATF Industry Operations Investigator Area Supervisor.

16. SA Zobel informed me she learned that on or about March 3, 2016, Jonathan Purtzer contacted ATF and requested to have Alex Neuman added as a responsible person for Guns R Us.

17. SA Zobel informed me she learned that on or about March 4, 2016, Alex Neuman became a responsible person for Guns R Us.

18. SA Zobel informed me that Jonathan Purtzer remained a responsible person until December 30, 2016, when Purtzer removed himself as a responsible person for Guns R Us. SA Zobel confirmed that Alex Neuman is currently the sole responsible person connected to Guns R Us.

19. On February 14, 2017, the government attempted to contact Jonathan Purtzer via telephone at (541) 261-1987. Mr. Purtzer did not answer the phone, and the recorded voicemail message stated we had reached the number for Guns R Us.

20. On February 14, 2017, the government spoke to Alex Neuman, current president of Guns R Us, via telephone. Mr. Neuman informed the government that Mr. Purtzer is “no longer associated with the business whatsoever.” Mr. Neuman further informed the government that, as current president of Guns R Us, he is the sole, responsible party in connection with the FFL issued to TD Pro Tech, Inc., dba Guns R Us. Mr. Neuman agreed to withdraw the claim Jonathan Purtzer previously filed on behalf of Guns R Us. Mr. Neuman also confirmed that (541) 261-1987 was a current phone number for Mr. Purtzer.

21. On March 2, 2017, a Withdrawal of Claim was filed by Mr. Neuman on behalf of Guns R Us. (ECF No. 6).

22. On March 2, 2017, the government attempted to contact Jonathan Purtzer via telephone at (541) 261-1987. Mr. Purtzer did not answer the phone. I left a voice message informing Mr. Purtzer of the government’s intent to file this Motion subsequent to the Withdrawal of Claim being filed by Mr. Neuman.

23. I know from this investigation, Jonathan Purtzer obtained defendant firearm through the corporation TD Pro Tech, Inc., dba Guns R Us, for purposes of demonstration at Guns R Us. (ECF No. 1-1). It would not be lawful for Jonathan Purtzer to obtain or own a weapon such as the defendant firearm in his individual capacity.

24. Section 922(o) of Title 18 of the United States Code states: “It shall be unlawful for any person to transfer or possess a machinegun” unless done so before 1986 or done so “under the authority of, the United States or any department or agency thereof or a State, or a department, agency, or political subdivision thereof.” 18 U.S.C. § 922(o). Title 27, Code of Federal Regulations, Section 479.105, provides that only applications to transfer and register a post-1986 machine gun “to *dealers* qualified under this part will be approved . . . .” 27 C.F.R. § 479.105(d) (emphasis added). Such applications “will be approved if it is established by specific information the expected governmental customers who would require a demonstration of the weapon, information as to the availability of the machine gun to fill subsequent orders, and letters from governmental entities expressing a need for a particular model or interest in seeing a demonstration of a particular weapon.” *Id.*

25. I know of no other persons who may have an interest in defendant firearm.

26. As previously indicated in the Declaration of Publication, (ECF No. 5), filed on November 28, 2016, notice of this forfeiture proceeding was posted on an

official government internet site [www.forfeiture.gov](http://www.forfeiture.gov) for at least 30 consecutive days, beginning on September 23, 2016, and ending on October 22, 2016.

27. No other claims or answers have been filed. Under Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the time for filing a claim and answer has passed.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 7th day of March 2017.

*s/ Julia Jarrett*  
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**JULIA E. JARRETT**  
Assistant United States Attorney